

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

“BARBARA;” “SARAH,” by guardian, parent,
and next friend “SUSAN;” and “MATTHEW,”
by guardian, parent, and next friend “MARK;”
on behalf of themselves and all those similarly
situated,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United
States, in his official capacity, et al.,

Defendants.

Case No. 1:25-cv-244

**DECLARATION OF WINIFRED KAO IN SUPPORT OF
PLAINTIFFS’ MOTION FOR CLASS CERTIFICATION**

I, Winifred Kao, declare as follows:

1. I am Senior Counsel at the Asian Law Caucus (ALC) and counsel for Plaintiffs in this case. I make this declaration to describe my qualifications and those of my colleagues to serve as counsel for the Proposed Class.

Winifred Kao

2. I graduated from the University of Michigan Law School in 2000. I am a member of the California bar and admitted to practice in the U.S. Supreme Court, the U.S. Court of Appeals for the Fourth, Sixth, and Ninth Circuits, as well as the U.S. District Courts for the Northern, Central, Eastern and Southern Districts of California.

3. I have served as Senior Counsel for ALC’s impact litigation since 2021. I was also ALC’s Litigation Director from 2011 – 2020 and ALC’s Workers’ Rights Program Director from 2011 – 2024. Prior to joining ALC, I worked at a union-side labor and employment law firm where I represented immigrant workers and unions in a wide variety of labor, employment,

constitutional, and class-action cases. Before that, I was a trial attorney for the United States Department of Justice Civil Rights Division where I litigated housing and public accommodation discrimination cases, and served on detail as a Special Assistant United States Attorney in the Sex Offense and Domestic Violence Section of the U.S. Attorney's Office in Washington, D.C.

4. As ALC's Senior Counsel and Litigation Director, I have staffed and supervised ALC's impact litigation cases. Those cases have included immigrant rights litigation for which I have personally served as class counsel and/or supervised ALC's role as class counsel, including: *Chhoeun v. Marin*, 442 F.Supp.3d 1233 (C.D. Cal. 2020) (class action habeas case on behalf of Cambodians with final removal orders who were subsequently released from ICE custody, requiring pre-detention notice to allow class members a chance to reopen their immigration cases and challenge their removal orders); *Trinh v. Homan*, 466 F.Supp.3d 1077 (C.D. Cal. 2020) (class action habeas case challenging the government's practice of subjecting Vietnamese immigrants/refugees to detention despite the remote possibility of their removal to Vietnam); *Navarette v. Burma Superstar* (Alameda Superior Court Case No. RG16830336) (wage and hour class action on behalf of restaurant workers); *Tran v. Natalie Salon* (San Mateo Superior Court Case No. 508343) (wage and hour class action on behalf of nail salon workers); *Chang v. Club One Casino* (Fresno Superior Court Case No. 11CECG01177) (class action race and national origin discrimination case on behalf of Hmong and Cambodian poker dealers).

Christopher M. Lapinig

5. Christopher M. Lapinig is a Senior Staff Attorney at ALC, where he has worked since 2024. Mr. Lapinig is a 2013 graduate of Yale Law School. He is a member of the California and New York bars and is admitted to practice in the U.S. Court of Appeals for the Second and Ninth Circuits, and the U.S. District Court for the Southern District of New York.

6. Prior to Mr. Lapinig's work at ALC, Mr. Lapinig worked as Legal Counsel at Campaign Legal Center, where he litigated voting rights lawsuits primarily in federal court, including three matters that went to trial; as Deputy Attorney General at the California Department of Justice, where he litigated consumer protection lawsuits primarily in federal court; and as an Associate Attorney at Larson O'Brien LLP (now Larson LLP), where he engaged in commercial litigation and criminal defense work. Immediately after graduating from law school, Mr. Lapinig clerked for the Hon. Denny Chin in the United States Court of Appeals for the Second Circuit and then for the Hon. Lorna G. Schofield in the United States District Court for the Southern District of New York. He then spent four years, first as a Skadden Fellow and then as a Staff Attorney, at Asian Americans Advancing Justice – Los Angeles (AAAJ-LA), where he litigated labor trafficking and other civil rights cases on behalf of immigrant clients.

7. During his tenure at AAAJ-LA, Mr. Lapinig served as class counsel in *Chhoeun v. Marin*, 442 F.Supp.3d 1233 (C.D. Cal. 2020) (class action habeas case on behalf of Cambodian detainees) and *Trinh v. Homan*, 466 F.Supp.3d 1077 (C.D. Cal. 2020) (class action habeas case on behalf of Vietnamese detainees).

Kimberly W. Leung

8. Kimberly W. Leung is a Staff Attorney at ALC, where she has worked since 2022. Ms. Leung is a 2014 graduate of the University of Wisconsin-Madison Law School. She is a member of the Illinois bar, and admitted to practice in the U.S. District Court for the Northern and Central Districts of Illinois.

9. Prior to Ms. Leung's work at ALC, Ms. Leung worked as an Assistant Attorney General at the Illinois Attorney General's Office, where she handled Section 1983 and

Americans with Disabilities Act discrimination cases in federal court.

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Winifred Kao", written in a cursive style.

Winifred Kao

Executed on March 14, 2025.